

JUN 29 2015

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKBrandon BanksUSDC SDNY
DOCUMENT
ELECTRONICALLY
FILED
DATE FILED: 7/6/15

JUN 18 2015

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

AMENDED
COMPLAINTunder the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)City of New York, Robert O. Corder #4115,
Angus Mackenzie #06284, Uke Evaristus #NA
Jorge Lobo #4696, Mark McDonald #6272,
Jeff Harris #01542, Manuel Cordova #NA
Lyne Virvel #NA, Christa McBratney #07485
Undercover Charlie #0039, Undercover
770, Undercover 301Jury Trial: ☒ Yes ☐ No
(check one)14 civ. 3201 (P# ULL)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Brandon BanksID # 344.14-03309Current Institution M.D.CAddress 125 White Street
New York, New York 10017

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name City of New York

Shield #

Where Currently Employed City of New YorkAddress 100 Church Street
New York, New York 10007RECEIVED
CLERK OF COURT
2015 JUL 15 A 8:53

Defendant No. 2

Name Roberto Corbero Shield # 4115
 Where Currently Employed N.B.M. n precinct 28th
 Address 2271-89 8th Avenue
New York, New York 10028

Defendant No. 3

Name Angus MacKenzie Shield # 06284
 Where Currently Employed N.B.M. n precinct 28th
 Address 2271-89 8th Ave
New York, New York 10028

Defendant No. 4

Name VKE Evaristus Shield # N/A
 Where Currently Employed N.B.M. n precinct 28th / retired
 Address 2271-89 8th Ave
New York, New York 10028

Defendant No. 5

Name Jorge to bon Shield # 41696
 Where Currently Employed N.B.M. n precinct 28th
 Address 2271-89 8th Ave
New York, New York 10027

II. Statement of Claim:

see Att. Page

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?
on the street at 144 West 111th Street 7 Ave
Between St. Nick Ave

B. Where in the institution did the events giving rise to your claim(s) occur?
In front of the Buildings 144 West 111th Street
7th Ave

C. What date and approximate time did the events giving rise to your claim(s) occur?
March 5, 2014 at 3:50pm

City of New York ①

August MacKenzie # 66284 ②

Uke Evaristus # NA ③

Roberto Cordero # 4115 ④

Jorge Tobon # 4696 ⑤

Mark McDonald # 6272 ⑥

UC Charlie 0039 ⑦

UC 220 ⑧

UC 301 ⑨

D+3 Christina McBrearty # 07985 ⑩

Tyone Viruet # NA ⑪

Manuel Cordova # NA ⑫

Jeff Harris # 01542 ⑬

Carty ⑭

Narcotics Borough Manhattan North precinct
28th

D. Facts:

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

I Got Beaten up and strip search outside in the day light, and they took my money, and had me write a check for a month long where they Beat me up and they strip my two front teeth, and my Right arm. But after that I had a torn ligament in it that they threat I Got locked up.

Lor dero, Evar Jesus, along with a couple more watch Mackenzie, McBreary, strip search me in the street, while all of the watch Harris, Virnet, to beas etc, etc

It was 12 officers that were involved in this incident that they Beat me up, strip search me in the street, and broke my phone and my tablet.

A Camreon at 1809 7 Ave that faces down towards St. Nick Ave. the Camreon is at the corner of 11th 7 Ave at the top corner of the Building

Herman Hankok, Rave Gomez, Michael Gomez, Jane Rae

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Rotator cuff injury Right Arm, Shoulder Right
was a torn ligament, two chips front teeth, Back
perins.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☐ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s). None

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☐ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☐ Do Not Know ☐

If YES, which claim(s)? _____

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☐

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve? _____

2. What was the result, if any? _____

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. _____

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

on the street in a public place outside

2. If you did not file a grievance but informed any officials of your claim, state who you informed, _____

when and how, and their response, if any: CCRB, IAB,
311 Complaint

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. N/A

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). 5 million dollars for permanent
suffering for humiliation, insomnia, intentional infliction
of emotional distress, physical damages/psychologist,
excessive force, fourth amendment rights,
Eight Amendment Rights, deprivation of conventional
police brutality.

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?
Yes ☐ No ☒

On
these
claims

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?
Yes ☒ No _____

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Bornstein

Defendants City of New York

2. Court (if federal court, name the district; if state court, name the county) S.D. NY

3. Docket or Index number N/A

4. Name of Judge assigned to your case Judge Katz

5. Approximate date of filing lawsuit 7 years ago

6. Is the case still pending? Yes _____ No ☒

If NO, give the approximate date of disposition 2010 or less

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) Judgment in the defendant's favor

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 10 day of June, 2015

Signature of Plaintiff

Brenton Banks

Inmate Number

349-14-03304

Institution Address

M.D.C

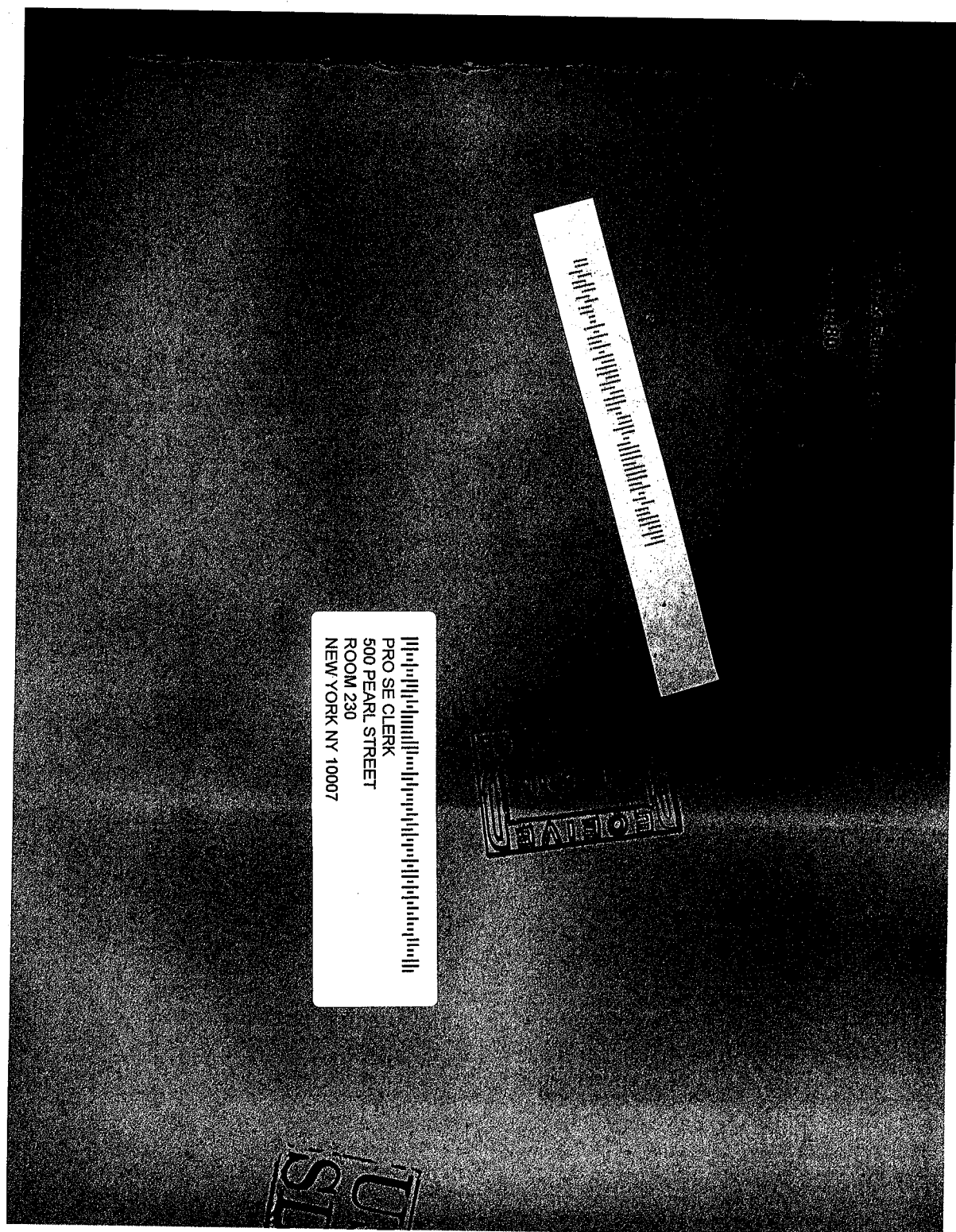
125 White Street
New York, New York
10013

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 10 day of June, 2015 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Brenton Banks



PRO SE CLERK
500 PEARL STREET
ROOM 230
NEW YORK NY 10007

Berlin & Sons
349-14-03309
125 White Street
New York, New York 10013

1220430480

Clerk of the Court
Pro Se Office
200 Pearl Street, Room 230
New York, New York 10007

USA
FOREVER

